

11208 John Galt Boulevard \cdot Omaha, NE 68137 USA Phone: 402.593.0101 \cdot Toll-Free: 1.800.247.8683 \cdot Fax: 402.593.8107 www.essvote.com

November 8, 2007

Via E-Mail and Overnight Mail

John Gardner Voting Systems Specialist Colorado Department of State 1700 Broadway, Suite 270 Denver, CO 80290

Dear Mr. Gardner,

Thank you for your assistance over the past two weeks in allowing us to respond to the open documentary and functional items from your testing to date with the ES&S Unity 3.0.1.1 Amendment A election management suite. In that time period we have been able to work through and better understand with your assistance, the nature of the open issues and the requirements for resolving.

- On October 30, 2007 we delivered to you our initial response to the open documentation issues with TDP Revision 3 addressing a number of the open items from your original outline.
- On November 1, 2007 we met with you and members of the Testing Board staff to further review in more detail, specific requirements for all of the outstanding documentation items as well as the status of 176 individual functional test items needing further evaluation by ES&S for reconsideration of testing. We were informed that the Testing Board would not request the "reactivation" of the ES&S certification evaluation until all documents have been provided.
- On November 2, 2007 we delivered a revised TDP Rev 3 on CD along with a spreadsheet responding to the 11 remaining open documentation issues.
- On November 7, 2007 we delivered what is believed to be the final four remaining documentation issues for your review, as well as notified you of our intent to withdraw the AutoMARK from this certification process.
- Earlier today, November 8, 2007, we delivered via email, our responses to the 176 open functional discrepancies.

Please accept this notice to officially withdraw the ES&S AutoMARK system including the AutoMARK Information Management System (AIMS), v1.2.18 and AutoMARK Voter Assist Terminal (VAT), v1.1.2258. With the removal of these components, the remaining components which ES&S is seeking certification are as follows:

Software

Election Data Manager, v. 7.4.4.0 ES&S Image Manager, v. 7.4.2.0 Hardware Programming Manager, v. 5.2.4.0 Election Reporting Manager, v. 7.1.2.1 Audit Manager, v. 7.3.0.0



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iVotronic Image Manager, v. 2.0.1.0

Firmware

iVotronic, v 9.1.6.2 - 15" Supervisor Terminal

iVotronic, v 9.1.6.2 - 15" Non ADA Voter Terminal and attached RTAL printer

iVotronic, v 9.1.6.2 - 15" ADA Voter Terminal with 4 button audio and attached RTAL

printer

M100 OMR Precinct Counter, v. 5.2.1.0

Optional Auxiliary Equipment: Metal Ballot Box

M650 Central Count Ballot Tabulator (Green Light), v. 2.1.0.0 Compact Flash Multi-Card Reader/Writer, v. 9.1.0.0 (Gang Burner)

Seiko Stand Alone Printer

With the responses of the remaining document issues submitted 11/07/2007, and the open functional items submitted today, 11/8/07, we hope to begin discussions on scheduling for the retesting of the Unity suite. Please advise if we have sufficiently met the requirement for you to request Secretary Coffman to lift the suspension of certification testing he issued on October 24, 2007, and resume the certification process. Also, please let us know when you would like to discuss the next steps to completing this effort. We are committed to providing as much support as necessary in order to accomplish the November 30th goal to complete functional testing.

Sincerely,

Steve M. Pearson

Vice President, Certification

cc: Pam Anderson, Jefferson County Colorado, Clerk & Recorder

Janice Rich, Mesa County Colorado, Clerk & Recorder

Kevin Kerrigan, ES&S